

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

DAVID L. McARTHUR, )  
Plaintiff, )  
v. )  
MICHAEL J. ASTRUE, ) ORDER GRANTING STIPULATED  
Commissioner of Social ) MOTION FOR REMAND PURSUANT  
Security, ) TO SENTENCE FOUR OF 42  
Defendant. ) U.S.C. § 405(g)

BEFORE THE COURT is the parties' Stipulated Motion for Remand of the above-captioned matter to the Commissioner for additional administrative proceedings. (Ct. Rec. 15.) The parties have consented to proceed before a magistrate judge. (Ct. Rec. 16.) After considering the stipulation of the parties,

**IT IS ORDERED:**

1. The parties' Stipulated Motion for Remand (**Ct. Rec. 15**) is **GRANTED**. The above-captioned case is **REVERSED** and **REMANDED** to the Commissioner of Social Security for further administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g). On remand, the administrative law judge (ALJ) will consider the additional evidence submitted by the claimant and further develop the record concerning the claimant's heart condition; will obtain medical expert testimony concerning the nature and severity of the claimant's impairment; will take any further action necessary to

1 complete the administrative record; and will issue a new decision in  
2 this matter.

3 2. Judgment shall be entered for the **PLAINTIFF**.

4 3. Plaintiff's Motions for Submission of New Evidence (Ct.  
5 **Rec. 11, 12**) are dismissed as MOOT.

6 3. An application for attorney fees may be filed by separate  
7 motion.

8 The District Court Executive is directed to enter this Order,  
9 forward copies to counsel, and thereafter shall close this file.

10 DATED October 5, 2009.

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S/ CYNTHIA IMBROGNO  
13 UNITED STATES MAGISTRATE JUDGE  
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